UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/816 (1993)
31 March 1993

RESOLUTION 816 (1993)

Adopted by the Security Council at its 3191st meeting,
on 31 March 1993

The Security Council,

Recalling its resolutions 781 (1992) of 9 October 1992 and 786 (1992) of 10 November 1992,

Recalling paragraph 6 of resolution 781 (1992) and paragraph 6 of resolution 786 (1992) in which the Council undertook to consider urgently, in the case of violations of the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina, the further measures necessary to enforce the ban,

Deploring the failure of some parties concerned to cooperate fully with United Nations Protection Force (UNPROFOR) airfield monitors in the implementation of resolutions 781 (1992) and 786 (1992),

Deeply concerned by the various reports of the Secretary-General concerning violations of the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina (S/24783, S/24810, S/24840, S/24870, S/24900 and Add.1 to 31),

Deeply concerned in particular by the Secretary-General's letters to the President of the Security Council of 12 and 16 March 1993 (S/25443 and S/25444) concerning new blatant violations of the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina, and recalling in this regard the statement by the President of the Security Council of 17 March 1993 (S/25426), and in particular the reference to the bombing of villages in the Republic of Bosnia and Herzegovina,

Recalling the provisions of Chapter VIII of the Charter of the United Nations,

Determining that the grave situation in the Republic of Bosnia and Herzegovina continues to be a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to extend the ban established by resolution 781 (1992) to cover flights by all fixed-wing and rotary-wing aircraft in the airspace of the Republic of Bosnia and Herzegovina, this ban not to apply to flights authorized by UNPROFOR in accordance with paragraph 2 below;

2. Requests UNPROFOR to modify the mechanism referred to in paragraph 3 of resolution 781 (1992) so as to provide for the authorization, in the airspace of the Republic of Bosnia and Herzegovina, of humanitarian flights and other flights consistent with relevant resolutions of the Council;

3. Requests UNPROFOR to continue to monitor compliance with the ban on flights in the airspace of the Republic of Bosnia and Herzegovina, and calls on all parties urgently to cooperate with UNPROFOR in making practical arrangements for the close monitoring of authorized flights and improving the notification procedures;

4. Authorizes Member States, seven days after the adoption of this resolution, acting nationally or through regional organizations or arrangements, to take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures in the airspace of the Republic of Bosnia and Herzegovina, in the event of further violations, to ensure compliance with the ban on flights referred to in paragraph 1 above, and proportionate to the specific circumstances and the nature of the flights;

5. Requests the Member States concerned, the Secretary-General and UNPROFOR to coordinate closely on the measures they are taking to implement paragraph 4 above, including the rules of engagement, and on the starting date of its implementation, which should be no later than seven days from the date when the authority conferred by paragraph 4 above takes effect, and to report the starting date to the Council through the Secretary-General;

6. Decides that, in the event of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia notifying the Council that all the Bosnian parties have accepted their proposals on a settlement before the starting date referred to in paragraph 5 above, the measures set forth in the present resolution will be subsumed into the measures for implementing that settlement;

7. Also requests the Member States concerned to inform the Secretary-General immediately of any actions they take in exercise of the authority conferred by paragraph 4 above;

8. Requests further the Secretary-General to report regularly to the Council on the matter and to inform it immediately of any actions taken by the Member States concerned in exercise of the authority conferred by paragraph 4 above;

9. Decides to remain actively seized of the matter.